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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/459,452	12/13/1999	TIMO TAPANI TOKKONEN	NC24603	1166

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EXAMINER

RAMOS FELICIANO, ELISEO

ART UNIT	PAPER NUMBER
2681	15

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/459,452

Applicant(s)
TOKKONEN

Examiner
ELISEO RAMOS-FELICIANO

Art Unit
2681



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 22, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 10-20, and 23-26 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-20, and 23-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2681

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-5, 10-18, and 23-26** are rejected under 35 U.S.C. 102(b) as being anticipated by Villa-Real (US Patent Number 4,481,382).

Regarding **claims 1 and 14**, Villa-Real discloses a method and apparatus for generating a reminder in a communication device. Villa-Real teaches "an audio-visual reminder system, wherein a singularity or plurality of future phone calls, including the specific times and dates and respective telephone numbers and/or the individual names or initials of the targeted party to be phoned in sequential order, can be programmed into the unit's micro-computer's memory in advance, so that, with the progression of actual time and date that are constantly compared to the electronic timer and calendar and alarm system" — column 1, lines 15-23.

"Once each pre-programmed time and date of any future call to be made coincides with the progression of the actual time and actual date, the device, when set in the alarm position, will trigger the alarm signal [... and] the LCD display" — column 9, lines 1-8.

"One object of the present invention is to provide a cordless programmable musical telephone extension unit with alpha-numerically programmable capabilities, enabling the user to

Art Unit: 2681

enter into the unit's micro-computer's memory a singular or multiplicity of telephone numbers, including the respective initials or name of each person to be phoned by the user, at certain designated future times and dates, and, in coordination with an electronically activatable automatic audible alarm and digital display system, the user can be reminded when to make each of the designated phone calls to the right party as soon as each of the previously programmed call becomes due, relative to the actual time and date" — column 1, lines 50-63.

From above, Villa-Real's method and apparatus includes generating and storing a reminder from user input (e.g. in advance); the reminder for reminding at least one person of a future event (for example, a singularity or plurality of future phone calls to be made; i.e. outgoing phone call to a selected phone number) to occur subsequent to a triggering event (for example, that an outgoing phone call to a selected phone number needs to be made and that the pre programmed time coincides with the progression of the actual time and actual date). The method further includes defining the triggering event and storing an indication of the event. The indication and reminder are indexed together. The invention further includes defining an action (e.g. to trigger an alarm signal via a speaker 151 and display a message via the LCD display 144, or to perform the designated phone call to the right party) and storing and indication of the action; the action indicates or reminds the at least one person (for example, indicating time, date, telephone number, individual name or initials of the targeted party). The method further includes detecting an occurrence of the triggering event and performing the action in response to the detecting step.

Art Unit: 2681

See also the abstract, column 1, lines 15-23, column 3, lines 61-64, column 4, lines 51-56, column 10, lines 51-53, column 11, lines 23-25, and column 14, lines 5-6.

As depicted in Figures 4 and 8 Villa-Real's apparatus includes an input device (3-5, etc.), at least one memory (139), and a processor (137-139); for implementing above method/steps.

Regarding **claims 2-5, 10-13, 15-18, and 23-26**, Villa-Real discloses everything claimed as explained above (see rejection of *claims 1 and 14*). In addition, Villa-Real discloses that the reminder can be either text (time, date, telephone number, individual name or initials of the targeted party), audio (alarm, sound, *inter alia*) or both. It can also be a voice recording, previously recorded (e.g. in the apparatus tape recorder depicted in Figure 6); see column 10, lines 1-15, *inter alia*. The generation of the reminder is performed using a keypad; see Figure 4 and column 3, lines 41-67, and all sections cited above, *inter alia*. The triggering event can be an external event, such as progression of time and date, which is determinable by a sensor (e.g. comparator; see column 1, lines 21-23).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2681

4. **Claims 6-7 and 19-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Villa-Real (US Patent Number 4,481,382) in view of Johnson et al. (U.S. Patent Number 5,664,063).

Regarding **claims 6-7 and 19-20**, Mizikovsky discloses everything claimed as applied above (see *claims 1 and 14*). However, Villa-Real fails to specify that the reminder is a video reminder as defined by applicant.

Johnson et al. discloses a method for automatically reminding a remote communication device user of certain events. The user generates the reminder by specifying an audio segment or a video message reminder, as disclosed at column 4, lines 42-53, column 5, lines 15-31, and in the abstract. The advantage of a video reminder is that it provides enhanced and more comprehensive information for the user of the communication device, which is more attractive for certain consumers.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add a video reminder or a video reminding function as taught by Johnson et al. to Villa-Real's invention because it would provide enhanced and more comprehensive information to the user; in addition to enabling better marketing possibilities for the manufacturer.

Response to Arguments

5. Applicant's arguments filed on August 22, 2003 have been fully considered but they are not persuasive.

Art Unit: 2681

Applicant argues that Villa-Real fails to disclose the claimed “triggering event” (see last paragraph in page 6 of the arguments filed on August 22, 2003).

The terms “reminder”, “triggering event” and “action” are met by Villa-Real for the reasons given in the rejection above and due to the following.

The original specification, page 1, lines 22-23, teaches that “The reminder function may trigger an alarm or display function to remind the user of something that has to be done.”

In the event of outgoing phone calls to selected phone numbers, Villa-Real teaches that a user generates (creates) a reminder. When the triggering event occurs (an outgoing phone call needs to be made at a predetermined time), an action is performed (an alarm or display is presented to the user and, subsequently, the outgoing phone call is performed). See for example column 1, lines 50-63.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

Art Unit: 2681

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any response to this Office action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306

for formal communications intended for entry, informal communications or draft communications; in the case of informal or draft communications, please label "PROPOSED" or "DRAFT".

Hand-delivered responses should be brought to

Crystal Park II
2121 Crystal Drive
Arlington, VA
Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eliseo Ramos-Feliciano whose telephone number is (703) 305-0078. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran, can be reached on (703) 305-4040.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700, or call Group customer service at (703) 306-0377.

ELISEO RAMOS-FELICIANO
PATENT EXAMINER

Eliseo Ramos-Feliciano
PATENT EXAMINER

ERF/erf
October 30, 2003.